

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-14 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claim 3 as being allowable if rewritten in independent form. Although not conceding the appropriateness of the Examiner's rejection, claim 3 has been rewritten in independent form. Accordingly, claim 3 is now in condition for allowance. Applicant has also added new claims 9-14 which correspond to claims 2 and 4-8. Since these claims now depend from claim 3, they are also considered to be allowable.

Drawings

The Examiner objected to the drawings as failing to show the supplementary electrical winding. By way of the present Amendment, Applicant is submitting a corrected drawing for Figure 3 which shows this supplementary electrical winding 50. In view of this, Applicant submits that the objection to the drawing is overcome.

Rejection Under 35 U.S.C. § 112

Claim 5 stands rejected under 35 U.S.C. § 112, first paragraph as containing subject matter not described in the specification. This rejection is respectfully traversed.

By way of the present Amendment, Applicant has added a description of this winding to page 7 and also to Figure 3. The description does not include any new matter. As indicated in the Amendment to the specification, such a supplementary electrical winding forms a transformer as is known to one skilled in the art. Such a winding acts as a secondary winding of the transformer so that when a primary winding such as 7 is supplied with alternating electrical current, the supplementary winding is capable of delivering an electrical voltage. Since such electrical transformers are well known in the art, Applicant submits that the specification is fully enabling in its present form.

Rejection Under 35 U.S.C. § 102

Claims 1, 4, 5, and 8 stand rejected under 35 U.S.C. § 102 as being anticipated by Bertram (U.S. Patent No. 4,684,840). This rejection is respectfully traversed.

The Examiner points out that Bertram shows a stator magnetic circuit having a first part 3 and a second hollow part 8 within which is mounted is a cylindrical rotor with a shaft and two bearings. The Examiner also points out a stator chamber 23 with a leaktight wall. The Examiner further states that the stator magnetic circuit passes through the wall and includes connections for drawing electrical energy.

Applicant submits that this reference does not show each and every feature of claim 1. The reference shows a motor having an electromagnetic excitor part 1 and a permanent

magnet driving unit 7 which are assembled separately and subsequently coupled to each other. The excitor part includes a U-shaped stator member 3 having limbs for carrying coils, with the free ends of the limbs projecting from the upper ends of the coils and each provided with an end surface 16. The driving unit has a housing 8 with a permanent magnet rotor rotatably journaled on its axis 12 and bearings 13 and 14 in the housing. Openings are formed in the bottom of the housing to receive the free ends of the stator limb so that upon placement of the driving unit on the excitor part 1, each of the mounting surfaces of the pole-shoe member 9 is in direct contact with a respective one of the end surfaces 16 of the limbs. In the embodiment shown in Figure 6, the end surfaces 16 of the limbs are joined by a partition 25 which separates the interior 23 of the housing containing the excitor part from the housing 28 of the driving unit to obtain liquid tight sealing. In such a case, the end surfaces 16 no longer come into contact with the mounting surfaces of the pole-shoe members 9, but instead are separated from the mounting surfaces by the partition.

Claim 1 makes it clear that the motor includes a combination of elements and especially a stator magnetic circuit which passes in a leaktight manner through the leaktight wall of the chamber. Applicant submits that this is not shown at all in Bertram et al. That is, the magnetic circuit does not pass through the wall of the chamber at all and certainly does not do so in a leaktight manner. This feature is not shown or suggested and in fact, would not even be obvious given the construction disclosed in Bertram et al. Accordingly, Applicant submits that claim 1 defines over this rejection.

Claims 2 and 4-8 depend from claim 1 and as such are also considered to be allowable. In addition, these claims recite other features not shown in the Bertram et al.

reference. In regard to claim 5, the reference does not disclose such a supplementary electrical winding. In regard to claim 8, nor the reference does not show that the bearings are mechanically linked to the second part by fixing pieces made of non-magnetic and insulating material. Accordingly, these claims are believed to be additionally allowable.

Rejection Under 35 U.S.C. § 103

Claims 2 and 7 stand rejected under 35 U.S.C. § 103 as being obvious over Bertram et al. in view of Bresolin (U.S. Patent No. 5,767,606). Claim 6 stands rejected under 35 U.S.C. § 103 as being obvious Bertram et al. in view of Johnatakis et al. (U.S. Patent No. 5,134,328). These rejections are respectfully traversed.

Since these claims all depend from allowable claim 1, these claims are likewise considered to be allowable. Further, Applicant submits that the dependent claims further define over the combination of references suggested by the Examiner. The Examiner relies on the Bresolin reference to teach the use of resin 12 to form a capsule for the stator. The Examiner feels that it would have been obvious to modify the device of Bertram et al. to add such a jacket of resin. Applicant submits that the features provided in dependent claims 2 and 7 are not shown in this combination of references. Claim 2 requires that the second part of the magnetic circuit, the rotor, the support bearings and the rotor of the pump are enclosed in a rotor chamber with a leaktight wall. Claim 7 requires that a jacket encase the first part of the stator magnetic circuit. Applicant submits that this is different from the formation of a resin jacket described in Bresolin. Accordingly, Applicant

submits that claims 2 and 7 are not obvious over this combination. In view of this, Applicant submits that claims 1, 2, and 4-8 are patentable over the cited references.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Joseph A. Kolasch, #22,463

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

 JAK/RFG/ags

Attachment(s): Figure 3